

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH,  
ALLAHABAD

Dated : Allahabad this the 28th day of August, 1996.

CORAM : Hon'ble Mr. S. Das Gupta, Member-A  
Hon'ble Mr. T. L. Verma, Member-J

Civil Misc. Contempt Application No. 11 of 1996

IN

O. A. No. 1119 of 1995.

Surendra Kumar son of Daulat Ram,  
resident of Sapanhar, Post office  
Devait District Azamgarh. ....Applicant.

(THROUGH COUNSEL SHRI A. P. SRIVASTAVAA)

Versus

1. Ajai Kumar, Divisional Signal  
and Telecom. Engineer, (Con).  
N.E.Railway, Varanasi.
2. Dr. M.R.Verma,  
C.S.T.E.(COn). N.E.Railway,  
Gorakhpur. .... Opposite parties.

O R D E R (Oral)

(By Hon'ble Mr. S. Das Gupta, Member-A)

This contempt application has been filed  
alleging non-compliance with an interim order passed  
by Single Member Bench on 20.11.1995 in O.A.No.1119  
of 1995.

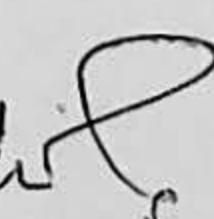
2. In the aforesaid O.A. an order of transfer  
had been challenged. At the time of admission,  
Single Member Bench hearing the matter, passed an

interim order to the effect that in case the applicant's transfer had not been effected, he shall not be disturbed till the next date. The applicant's allegation is that although he had not been relieved and the transfer had not been effected, he has not been allowed to perform his duties nor has he been paid his salary.

3. The respondents have filed a counter-affidavit. In para 8 of the counter-affidavit, it has been specifically stated that while the interim order was passed on 28.11.1995, the applicant had already been relieved by order dated 25.9.1995, and therefore, the transfer had already been effected. This averment of the respondents has not been rebutted by the applicant as he has not filed any rejoinder-affidavit despite several opportunities given to him.

4. In view of the foregoing we find that the respondents have not deliberately or intentionally disobeyed any order of the Tribunal. The contempt proceedings are therefore, dropped and the notices issued to the respondents are discharged.

  
Member-J

  
Member-A

Dt. August 28, 1996.

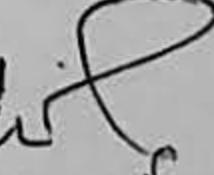
(pandey)

interim order to the effect that in case the applicant's transfer had not been effected, he shall not be disturbed till the next date. The applicant's allegation is that although he had not been relieved and the transfer had not been effected, he ~~has~~ not been allowed to perform his duties nor has he been paid his salary.

3. The respondents have filed a counter-affidavit. In para 8 of the counter-affidavit, it has been specifically stated that while the interim order was passed on 28.11.1995, the applicant had already been relieved by order dated 25.9.1995, and therefore, the transfer had already been effected. This averment of the respondents has not been rebutted by the applicant as he has not filed any rejoinder-affidavit despite several opportunities given to him.

4. In view of the foregoing we find that the respondents have not deliberately or intentionally disobeyed any order of the Tribunal. The contempt proceedings are therefore, dropped and the notices issued to the respondents are discharged.

  
Member-J

  
Member-A

Dt. August 28, 1996.

(pandey)